

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/3/2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HANOVER INSURANCE COMPANY, as subrogor of  
Joseph P. Day Realty Corp.

Plaintiff,

-against-

NY FIRETECH, INC., and NY FIRE, LLC,

Defendants.

1:21-cv-2728-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On November 4, 2021, the Court scheduled an initial pretrial conference for this case for December 9, 2021 at 10:00 AM. Pursuant to that order, the parties were directed to submit a Proposed Case Management Plan and Scheduling Order and joint letter, as required by this Court's Individual Rules of Practice **one week prior to the conference date.**

The Court has reviewed the docket and no Proposed Case Management Plan and Scheduling Order or joint letter has been filed since that order.

IT IS HEREBY ORDERED that the conference scheduled for December 9, 2021 at 10:00 AM is ADJOURNED to January 4, 2022 at 10:00 AM.

**On or before December 28, 2021, the parties are to submit a Proposed Case Management Plan and Scheduling Order and joint letter, as required by this Court's Individual Rules of Practice.** The documents should be filed on ECF and sent to this Court via email (in both PDF and Microsoft Word formats) one week prior to the conference date. The status letter may not exceed 6 pages and must include the following:

1. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case;

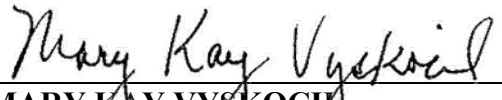
2. A brief statement by the plaintiff, or by the defendant in removed cases, as to the basis of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue. Statements shall include citations to relevant statutes. In cases invoking the Court's diversity jurisdiction, the parties should state both the place of incorporation and the principal place of business of any party that is a corporation, and the citizenship of all members, shareholders, partners, and/or trustees of any party that is a partnership, limited partnership, limited liability company, or trust;
3. A statement of procedural posture, including
  - a. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the conference;
  - b. A brief description of any discovery that has already taken place, and a brief description of any discovery that the parties intend to take in the future; and
  - c. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and
4. Any other information the parties believe may assist the Court in resolving the action;

Moreover, the parties should provide an explanation for why the parties should not be sanctioned for a failure to comply with the Court's Order dated November 4, 2021.

Any request for an extension or adjournment shall be made by letter filed on ECF and must be received at least 72 hours before the deadline or conference.

**SO ORDERED.**

**Date: December 3, 2021**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**